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FEDERAL EXPRESS

Jeffrey N. Lüthi, Esq.
Catherine Maida
Judicial Panel on Multidistrict Litigation
Thurgood Marshall Federal Judiciary Building
One Columbus Circle, N.E. Room G-255, North Lobby
Washington, D.C. 20002-8004


Re: In re: Fosamax Products Liability Litigation, MDL Docket
No. 1789

Dear Sir and Madam:

Pursuant to J.P.M.L. Rule 7.5(e), Merck hereby notifies the Panel of potential "tag-along actions". This letter is Merck's 40th notification of potential "tag-along actions" and includes cases that have recently been filed in federal court. Courtesy copies of the complaint and docket sheet for each case are enclosed.

1. *Hamm v. Merck & Co., Inc.*, C.A. No. 3:07-cv-00234-RV-MD (N.D. Fla.)
2. *Mahanay, et al. v. Merck & Co., Inc.*, C.A. No. 3:07-cv-00233-MCR-EMT (N.D. Fla.)
3. *Hill v. Merck & Co., Inc.*, C.A. No. 3:07-cv-00320-JBC (W.D. Ky.)

Respectfully Submitted,


Cecily C. Williams

Enclosures